

REMARKS

In response to the Office Action mailed July 10, 2006, Applicants respectfully request reconsideration of the Application in view of the foregoing Amendments and the following Remarks. The claims as now presented are believed to be in allowable condition.

Claims 1 and 10 have been amended. Claims 1-14 remain in this application, of which claims 1 and 10 are independent claims.

Rejection of Claims 1-3 and 7-14 under 35 U.S.C. §102(b)

Claims 1-3 and 7-14 are rejected under 35 U.S.C. §102(b) as being anticipated by Korean Patent Application No. 1020000025857 to Lee (hereafter referred to as “Lee”). Applicants respectfully traverse this rejection.

Claims 1 and 10 have been amended to clarify that the disc is secured to the turntable for being rotated by the *spindle motor that is installed on the tray*. The important limitation in claims 1 and 10 is that the spindle motor is installed on the tray.

As stated by the Examiner at page 3 of the Office Action dated July 10, 2006, Lee does not show any numbered spindle motor. Rather, the Examiner just states that a spindle motor must inherently be present in a disc drive.

However, Lee which does not even illustrate a spindle motor would not disclose, teach, or suggest a spindle motor installed on the tray.

Rather, in the prior art, the spindle motor is installed on a main body of the disc drive instead of the sliding tray.

Even if the tray includes a mechanism for securing the disc to a table on the tray, the disc

drive of the prior art teaches a spindle motor that is installed within the main body of the disc drive, as disclosed in the Abstract of Japanese Application No. 04-246045 to Tamayama (which is cited by the Examiner):

PURPOSE: To chuck a disk to a disk table at the outside of a disk drive main body regardless of the disk device of the disk tray system.

CONSTITUTION: A disk 1 is loaded in a disk device main body 2 after being chucked onto a disk table 5 fitted to a disk tray 3 at the outside of the disk drive main body 2, and a rotary shaft 9 of the disk table 5 and a drive shaft 10 driven by a spindle motor 6 are connected by an automatic connector 11 ***in the disk device main body 2.*** (Emphasis added.)

Thus, this prior art reference discloses the spindle motor 6 ***that is installed on the main body 2*** for spinning the disk 1 chucked onto the disk table 5 of the disk tray 3 (as illustrated in Figs. 1-5 of Japanese Application No. 04-246045 to Tamayama).

In contrast to the prior art, the Present Application as recited in amended claims 1 and 10 has the spindle motor ***installed on the sliding tray*** instead of the main body of the disc drive.

Anticipation of a claimed invention requires the presence in a single prior art document of ***each and every*** element of the properly construed claim. The Federal Circuit has set out the following requirements for anticipation pursuant to 35 U.S.C. §102:

...that a patent claim is anticipated under 35 U.S.C. §102 “must demonstrate, among other things, identity of invention.”...[O]ne who seeks such a finding must show that each element of the claim in issue is found, either expressly or under principles of inherency, in a single prior art reference, or that the claimed invention was previously known or embodied in a single prior art device or practice.

Minnesota Mining & Mfg. Co. v. Johnson & Johnson Orthopaedics, Inc., 976 F.2d 1559, 1565 (Fed. Cir. 1992).

Because Lee does not disclose, teach, or suggest all of the limitations of amended claims 1 and 10, the rejection of claims 1 and 10 under 35 U.S.C. §102(b) in view of Lee should be withdrawn.

Claims 2-3 and 7-9, which depend from and further limit claim 1, are allowable for at least the same reasons that claim 1 is allowable as stated above.

Claims 11-14, which depend from and further limit claim 10, are allowable for at least the same reasons that claim 10 is allowable as stated above.

Rejection of Claims 4-6 under 35 U.S.C. §103(a)

Claims 4-6 are rejected under 35 U.S.C. §103(a).

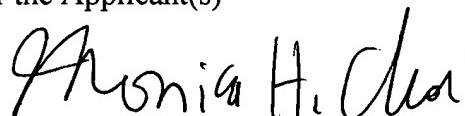
Claims 4-6, which depend from and further limit claim 1, are allowable for at least the same reasons that claim 1 is allowable as stated above.

Conclusions

In view of the foregoing amendments and remarks, this application should now be in condition for allowance. A notice to this effect is respectfully requested. Please feel free to contact the undersigned should any questions arise with respect to this case that may be addressed by telephone.

Respectfully submitted,
for the Applicant(s)

By:

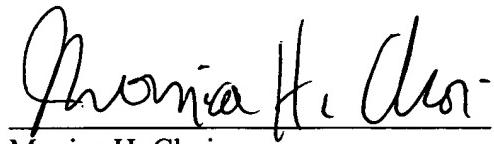


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CERTIFICATE OF MAILING

The undersigned hereby certifies that the foregoing AMENDMENT AND RESPONSE is being deposited in the United States Postal Service, as first class mail, postage prepaid, in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 25th day of September, 2006.



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